

# Congress of the United States

Washington, DC 20515

April 25, 2023

The Honorable Michael Regan  
Administrator  
Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20004

Dear Administrator Regan:

We are writing today to express our concerns with the newly released plan for regulating wastewater pollution, including industrial discharges of the forever chemicals known as per- and polyfluoroalkyl substances, or PFAS. We recognize that the Environmental Protection Agency (EPA) under the Biden administration has made strides to curb this public health crisis and applaud the agency for proposing to designate the two most commonly detected forever chemicals, PFOA and PFOS, as hazardous substances under the Superfund law, expanding monitoring for PFAS in drinking water, developing new analytical methods, and providing funding for infrastructure upgrades. However, as representatives of communities impacted by PFAS pollution, we have serious concerns with the lack of urgency to rapidly address this crisis with respect to industrial dischargers in the EPA's updated multi-year strategic plan.

As you know, there are currently no federal limits on how much PFAS can be dumped into surface waters by industrial dischargers under the Clean Water Act. This puts the health and safety of communities across the nation at risk and results in costly cleanup and treatment activities to remove PFAS contamination after it has occurred. PFAS contamination has been detected at more than 2,800 sites in 50 states, according to a map published by the Environmental Working Group, or EWG. These include military sites that use firefighting foam containing PFAS and industrial sites where PFAS chemicals were manufactured or used in production. EWG estimates that as many as 30,000 industrial dischargers could be releasing PFAS into the environment.

Thousands of communities in states across the country have confirmed the presence of PFAS in their drinking water or groundwater supplies, which leads to increased risk of cancer and other serious health problems. Very low doses of PFAS in drinking water have been linked to suppression of the immune system, including reduced vaccine efficacy, increased cholesterol, reproductive and developmental problems and other health harms. PFAS pollution also has adverse impacts on the food supply and agricultural producers. Nevertheless, the EPA has for decades failed to set legal standards for industries that discharge their PFAS waste into the nation's water bodies and air.

The plan, the Effluent Guidelines Program Plan 15, unfortunately falls short of the agency's commitment in its 2021 PFAS Strategic Roadmap to "get upstream" of the forever chemicals problem. The newly released plan will take years to complete, delaying much-needed restrictions on PFAS discharges into waterways. Polluters have been given a free pass for far too long, and our constituents deserve more aggressive action.

The U.S. House of Representatives has twice passed bipartisan legislation that would require the EPA to set PFAS standards for nine priority categories with known or suspected releases of PFAS, within four years. Identical legislation, the Clean Water Standards for PFAS Act, was introduced in the Senate last Congress. These priority industry categories include: organic chemicals, plastics and synthetic fibers (OCPSF); landfills; textile mills; electroplating; metal finishing; leather tanning and finishing; paint formulating; electrical and electronic components; and plastics molding and forming.

We are very concerned by the delays in the updated plan for the OCPSF and metal finishing categories, and by the lack of deadlines set by the agency for the other priority industry categories. We're also concerned that the EPA has decided not to develop effluent limitation guidelines for four categories: electrical and electronic components; leather tanning and finishing, paint formulating; and plastics molding and forming. The EPA should not push back previously set deadlines for industries with known industrial discharges of PFAS or punt on developing regulations for other industries likely to be discharging PFAS. Communities living downstream and downwind of industrial PFAS polluters rightfully expect swift action from the EPA after decades of exposure.

We look forward to working with you on addressing this urgent public health issue. Communities have waited decades for action; now is the time to protect them. Thank you for your attention to this important issue.

Sincerely,



Chris Pappas  
Member of Congress



Brian K. Fitzpatrick  
Member of Congress



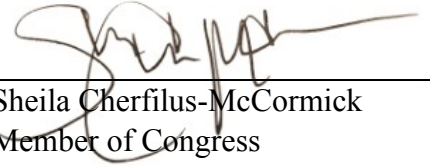
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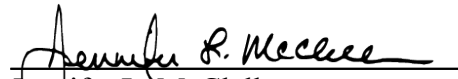
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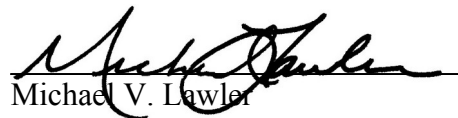
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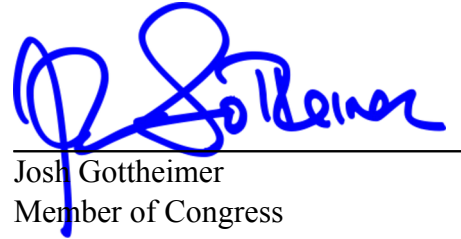
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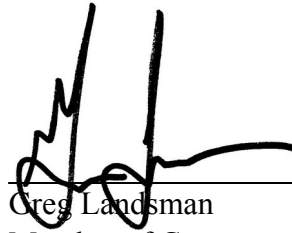


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Sheila Jackson Lee  
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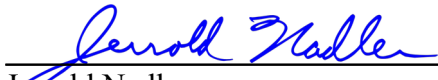
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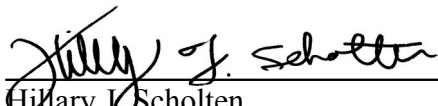
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